Application Number 10/714358
Response to the Office Action dated 04/09/2008

Amendments to the Drawings:

Please insert **PRIOR ART** under the title of the figure on Figures 30, 32, and 33.

Replacement sheets of Figures 30, 32, and 33 are attached.

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REMARKS

Applicants request reconsideration of the pending claims in view of the remarks herein. The claims are not amended. Claims 1-30 are pending of which claims 4-18, 20-29 are withdrawn and claims 1-3, 19, and 30 are under consideration.

The rejection of the claims under 35 U.S.C. §102(b)

Applicants maintain their traversal of the rejection of claims 1-3, 19, and 30 as being anticipated by Hirano '474 (referring to US Patent 6961474, the English language equivalent of PCT WO994/44368). Applicants maintain that Hirano '474 does not teach or suggest the "read control portion for controlling selective reading of the data from the data buffer in such a manner that only input data having a value that is not 0 (zero) are selectively read out based on the determination result information stored in the information register" of claim 1 or "the step of selectively reading data from the data buffer in such a manner that only input data having a value that is not 0 (zero) are selectively read out based on the determination result information" of claim 19.

Hirano '474, on the other hand and with reference to Figure13 and column 20, lines 21-47, stores input data in a memory bank and outputs **all** data from the memory bank on two buses to a data counter portion. The data counter portion determines whether the data supplied by the memory bank is "0", counts the number of consecutive "0"s until a "1" is encountered and then alternately writes this information to the FIFOs 204a, 204b. The selector then alternately selects data from the FIFOs and supplies them to the Huffman encoding portion.
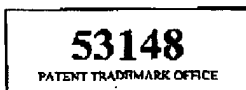
The rejection seems to equate the claimed data buffer with two different entities of Hirano '474. On the one hand and on page 3, first paragraph of the Office Action, the rejection states that the input data are stored in the memory bank thereby equating the memory bank with the claimed data buffer. But as stated above, Hirano '474 teaches that all data are read from the memory bank. On page 8, last paragraph of the Office Action, the rejection states that the FIFOs 204a, 204b stores the zero run-length and that only non-zero valid coefficients are read into the FIFO devices. If the rejection is also asserting that the FIFOs are equivalent to the claimed data buffer, Applicants disagree.

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Note that claims 1 and 19 require selectively reading data from the data buffer in such a
manner that only input data having a value that is not 0 (zero) are selectively **read out**
[from the data buffer]. This is not the same as taught by Hirano '474 which reads all input
data from the memory bank into the data counter portion and then the data counter
portion outputs the "1"s and a run length representing the number consecutive "0"s to
alternating FIFOs. In other words, selectively **reading data** that has a value of not 0
(zero) from a data buffer is not the same thing as **inputting** "1"s and a run length into a
FIFO. Thus, because Hirano '474 does not teach at all the claimed elements, Applicants
request that the rejection of claims 1-3, 19, and 30 under 35 USC §102(b) be withdrawn.

Nor does Hirano '474 suggest the claimed invention. Hirano '474, in fact, is more
akin to the conventional encoding portion shown in Applicants' Figure 32. The run-
length encoding portion 808 of Applicants' Figure 32 is equivalent to the data counter
portion 203, the FIFOs 204a, 204b, and the selector 205 of Hirano '474. Moreover, as
explained in ¶[0012] of Applicants' publication, Hirano '474 presumably would be
subject to the decreased speed of the encoding process, the shortcomings of the
conventional encoding.

Applicants assert that claims 2, 3 and 30 are allowable at least by virtue of their
dependence upon claim 1. Applicants do not concede the correctness of the rejection.
Applicants invite the Examiner to telephone the undersigned attorney if there are minor
corrections or minor issues that remain before allowance of the case.

Respectfully submitted,

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Dated: August 11, 2008   By: _____
                                     Douglas P. Mueller
                                     Reg. No. 30,300
                                     DPM/KO/ad

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